IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 24199 of 2003

Between:

M/s. Balaji Metal Box Company, A.Proprietary concern,
Rep. by its Proprietor Ramesh Kumar Agarwal, Plot No.114/A, SEIE,
Kattedan, R.R.District, A.P.

..... PETITIONER

AND

1 The Managing Director, State Financial Corporation,
5-9-194, Chirag Ali Lane, Hyderabad.
2 The Branch Manager, State Financial Corporation,
5-9-194, Chirag Ali Lane, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue the writ or order or the direction, in the nature of Mandamus declaring the action of the respondents in issuing the notice dt.13-10-2003 U/sec.29 of S.F.C.Act as illegal and arbitrary and consequently direct the respondents to consider the representation of the petitioner dt.3-10-2003 U/s.29 of S.F.C. Act and by taking the rate of interest as per the agreement.

Counsel for the Petitioner: MR.N.RAJESWAR RAO

Counsel for the Respondent No.1 & 2: MS.Y.N.LOHITA (SC For AP State Financial Corporation)

The Court made the following Order:

Heard.

It is submitted by the learned counsel for the petitioner that having regard to the sale effected subsequent to the filing of the writ petition, the writ petition has become infructuous.

Accordingly, it is dismissed. However, it is open to the petitioner to challenge the subsequent proceedings and raise all objections including in regard to interest in the fresh application to be filed by him, which will be considered on its own merits according to Law, uninfluenced by the dismissal of this writ petition.

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22-07-2004

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ASST.REGISTRAR

To

1 The Managing Director, State Financial Corporation,
5-9-194, Chirag Ali Lane, Hyderabad.
2 The Branch Manager, State Financial Corporation,
5-9-194, Chirag Ali Lane, Hyderabad.

3. Two CD Copies.